

Testimony of U.S. Representative Jeb Bradley
H.R. 4477, the Patriotic Employer Act of 2004
House Veterans Affairs Committee
June 23, 2004

Chairman Smith, Ranking Member Evans, members of the Committee: as a member of the Veterans Affairs Committee, I appreciate the opportunity to testify on H.R. 4477, introduced by my colleague Mr. McGovern. H.R. 4477, the Patriotic Employer Act of 2004, relates to an area of great importance given current military operations. Since 9/11, deployments of the majority of guard and reserve units have been a reality. Therefore, it is important that we ensure that our military personnel are aware of their rights and that their private sector careers are not harmed due to their commitment for our country. I commend Representative McGovern and join Ranking Member Evans in advocating for this common sense bill that will help reduce unnecessary frustration and misunderstandings for both guard members and reservists, and employers.

With the percentage of deployed guard and reservists at its highest point in the past fifty years, it has become evident that these men and women and many employers are aware of the rights afforded them under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Although only a small percentage of employers and reservists have significant problems understanding and abiding by USERRA, their situation deserves our attention during this time of increased deployments. H.R. 4477 would seek to intervene before a problem arises by simply providing for the posting of current law in the workplace. I believe this legislation provides a simple, inexpensive answer to a problem we must address in order to best provide job security to our guard and reservists.

The Patriotic Employer Act of 2004 would not create a burdensome clerical requirement for small businesses or the Labor Department. Furthermore, there would be no cost for employers to post the labor laws in the workplace and the cost would be negligible to the Labor Department.

Currently, federally required postings are available free of charge to employers, as the Labor Department provides hard copies of the laws to employers upon request.

Additionally, the Labor Department has downloadable versions of the postings available in portable document format (PDF) on their website. Requiring employers to post an additional labor law poster would not burden employers with excessive costs, but may in fact save them from the expense of litigation in defense of violations of USERRA.

Although only a small amount of conflicts result in a lawsuit, they are costly to the employer, employee, and the Labor Department and can destroy long standing relationships. Many of these problems are the result of poor communication between employers and employees due to the lack of knowledge of USERRA. H.R. 4477 is a straightforward, inexpensive, and appropriate response to this problem.

Mr. Chairman, I want to thank Representative McGovern and Ranking Member Evans for their leadership and initiative on this issue. Like them, I believe that all guard and reservists deserve job security when they are called on to serve our nation. Fortunately, current law already provides for this security. H.R. 4477 raises awareness for employers and reservists and will make them explicitly aware of this law. I thank the Committee for

the opportunity to testify before you today, and I would be happy to answer any questions you may have on this bill.